

**KELLY HART PITRE**

Louis M. Phillips (#10505)  
One American Place  
301 Main Street, Suite 1600  
Baton Rouge, LA 70801-1916  
Telephone: (225) 381-9643  
Facsimile: (225) 336-9763  
Email: louis.phillips@kellyhart.com  
Amelia L. Hurt (LA #36817, TX #24092553)  
400 Poydras Street, Suite 1812  
New Orleans, LA 70130  
Telephone: (504) 522-1812  
Facsimile: (504) 522-1813  
Email: amelia.hurt@kellyhart.com

**KELLY HART & HALLMAN**

Hugh G. Connor II  
State Bar No. 00787272  
hugh.connor@kellyhart.com  
Michael D. Anderson  
State Bar No. 24031699  
michael.anderson@kellyhart.com  
Katherine T. Hopkins  
Texas Bar No. 24070737  
katherine.hopkins@kellyhart.com  
201 Main Street, Suite 2500  
Fort Worth, Texas 76102  
Telephone: (817) 332-2500  
Telecopier: (817) 878-9280

**Counsel for CLO HoldCo, Ltd.**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>In re:</b>	§	<b>Case No. 19-34054-sgj11</b>
	§	
<b>HIGHLAND CAPITAL MANAGEMENT,</b>	§	<b>Chapter 11</b>
<b>L.P.,</b>	§	
	§	
<b>Debtor</b>	§	
	§	
	§	
	§	
<b>CLO HoldCo, Ltd.,</b>	§	
<b>Appellant</b>	§	
	§	
	§	
<b>v.</b>	§	<b>Case No. 22-cv-02051-B</b>
	§	
<b>Marc S. Kirschner, as Litigation Trustee of</b>	§	
<b>the Litigation Sub-Trust,</b>	§	
<b>Appellee</b>	§	
	§	

**CERTIFICATE OF SERVICE**

---

I, undersigned counsel, hereby certify that a true and correct copy of the *Original Appellant Brief Filed On Behalf Of CLO Holdco Ltd* (ECF Doc. 13) were sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on this November 3, 2022.

Case Admin Sup    txnb\_appeals@txnb.uscourts.gov

Aaron Lawrence    aaronlawrence@quinnemanuel.com

Deborah Jill Newman    deborahnnewman@quinnemanuel.com

Hugh G Connor , II    hugh.connor@kellyhart.com, melissa.matej@kellyhart.com,  
ryan.roper@kellyhart.com

Juliana Lorraine Hoffman    jhoffman@sidley.com, nef@sidley.com, txefilingnotice@sidley.com

Katherine T. Hopkins    katherine.hopkins@kellyhart.com

Michael D Anderson    michael.anderson@kellyhart.com, melissa.matej@kellyhart.com

Paige Holden Montgomery    pmontgomery@sidley.com, broper@sidley.com, nef@sidley.com,  
txefilingnotice@sidley.com

Robert Scott Loigman    robertloigman@quinnemanuel.com

Stacey G Jernigan    sgj\_settings@txnb.uscourts.gov, anna\_saucier@txnb.uscourts.gov

Baton Rouge, Louisiana, this 3<sup>rd</sup> day of November, 2022.

/s/ **Louis M. Phillips**

**Louis M. Phillips (#10505)**

One American Place

301 Main Street, Suite 1600

Baton Rouge, LA 70801-1916

Telephone: (225) 381-9643

Facsimile: (225) 336-9763

Email: louis.phillips@kellyhart.com

Amelia L. Hurt (LA #36817, TX #24092553)

400 Poydras Street, Suite 1812

New Orleans, LA 70130

Telephone: (504) 522-1812

Facsimile: (504) 522-1813

Email: amelia.hurt@kellyhart.com

and

**KELLY HART & HALLMAN**

Hugh G. Connor II

State Bar No. 00787272

[hugh.connor@kellyhart.com](mailto:hugh.connor@kellyhart.com)

Michael D. Anderson

State Bar No. 24031699

[michael.anderson@kellyhart.com](mailto:michael.anderson@kellyhart.com)

Katherine T. Hopkins

Texas Bar No. 24070737

[katherine.hopkins@kellyhart.com](mailto:katherine.hopkins@kellyhart.com)

201 Main Street, Suite 2500

Fort Worth, Texas 76102

Telephone: (817) 332-2500

*Counsel for CLO HoldCo, Ltd.*

3:22-cv-02051-B CLO Holdco Ltd et al v. Kirschner

BKAPP

If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: [Judges' Copy Requirements](#). Click here to see [Judge Specific Requirements](#). Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. [Forms and Instructions](#) found at [www.txnd.uscourts.gov](http://www.txnd.uscourts.gov). If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge.

**U.S. District Court**

**Northern District of Texas**

**Notice of Electronic Filing**

The following transaction was entered by Phillips, Louis on 11/3/2022 at 4:24 PM CDT and filed on 11/3/2022

**Case Name:** CLO Holdco Ltd et al v. Kirschner

**Case Number:** 3:22-cv-02051-B

**Filer:** CLO Holdco Ltd

**Document Number:** 13

**Docket Text:**

**Appellant's BRIEF by CLO Holdco Ltd. (Phillips, Louis)**

**3:22-cv-02051-B Notice has been electronically mailed to:**

Case Admin Sup txnb\_appeals@txnb.uscourts.gov

Aaron Lawrence aaronlawrence@quinnemanuel.com

Deborah Jill Newman deborahnewman@quinnemanuel.com

Hugh G Connor , II hugh.connor@kellyhart.com, melissa.matej@kellyhart.com, ryan.roper@kellyhart.com

Juliana Lorraine Hoffman jhoffman@sidley.com, nef@sidley.com, txefilingnotice@sidley.com

Katherine T. Hopkins katherine.hopkins@kellyhart.com

Louis M Phillips louis.phillips@kellyhart.com, amelia.hurt@kellyhart.com, june.alcantara-davis@kellyhart.com

Michael D Anderson michael.anderson@kellyhart.com, melissa.matej@kellyhart.com

Paige Holden Montgomery pmontgomery@sidley.com, broper@sidley.com, nef@sidley.com, txefilingnotice@sidley.com

Robert Scott Loigman robertloigman@quinnemanuel.com

Stacey G Jernigan sgj\_settings@txnb.uscourts.gov, anna\_saucier@txnb.uscourts.gov

**3:22-cv-02051-B Notice required by federal rule will be delivered by other means (as detailed in the Clerk's records for orders/judgments) to:**

The following document(s) are associated with this transaction.

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1004035775 [Date=11/3/2022] [FileNumber=14376238-0] [64d419702da5457047bcf0e3755dae5b13376c1e1c3bacddb8b52131a8aec1c9a37e7307b46a2fe3ef2c95d7588a03c623a27fc99c4ea49b0d64e1d5ec67029a]]